

U.S. Patent Application
Serial No. 10/532,686

1. Previous Rejections in the Office Action Dated July 24, 2009

As discussed in Applicant's previous response of October 26, 2009, claims 1-27 have been cancelled rendering all of the rejections outlined in the Office Action having a mailing date of July 24, 2009 moot.

Additionally, as outlined in Applicant's previous response, Applicant respectfully believes the currently claimed butene-1 copolymers comprising a content up to 40% by mol of at least one comonomer, the comonomer being selected from ethylene, propylene, or mixtures thereof, the butene-1 copolymers further unexpectedly comprising a) a product of the reactivity ratios $r_1 \cdot r_2 < 1.5$; b) a content of butene-1 units in form of isotactic pentads (mmmm) > 98.5%; and c) an absence of 4,1 insertions of butene units, and are patently distinct from every document cited in the previous Office Action. To support Applicant's assertions, Applicant files herewith this response a declaration from Fabrizio PIEMONTESI, who is a co-inventor of the instant application.

In particular, the declaration from Fabrizio PIEMONTESI demonstrates that various catalyst systems and/or donors in the documents cited in the Office Action of July 24, 2009 do not produce Applicant's currently claimed butene-1 copolymers. See Comparative Examples 1c-5c in ATTACHMENT B of the declaration. Additionally, the declaration from Fabrizio PIEMONTESI provides an additional Example (i.e., Example 7). For these reasons, Applicant respectfully

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believes not only are all of the rejections outlined in the aforementioned Office Action moot, but that new claims 28-52 are novel and patentably distinct over the prior art of record.

In light of the above, Applicant respectfully believes all of the currently pending rejections should be withdrawn, and claims 28-53 should be allowed to pass to grant.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw all rejections, and allow all pending claims 28-53. Favorable action with an early allowance of the claims pending in this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned practitioner if she has any questions or comments.

Respectfully submitted,

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300) on November 24, 2009.

JOLENE A. CUTTER
Type or printed name of person signing this certificate

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Signature